



Preparing every student to thrive in a global society.

Agenda Item Details

Meeting Jan 18, 2018 - ESUHS D REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133

Category 16. BOARD OF TRUSTEES/SUPERINTENDENT - CONSENT/ACTION CALENDAR

Subject 16.02 Approve Minutes of November 16, 2017, Regular Board Meeting

Type Action, Minutes

Recommended Action It is recommended that the Board of Trustees approve the November 16, 2017, Regular Board Meeting minutes as presented.

EAST SIDE UNION HIGH SCHOOL DISTRICT

TO: Board of Trustees

FROM: Chris D. Funk, Superintendent

SUBJECT: Approve Minutes of November 16, 2017, Regular Board Meeting

Attached are the minutes of the November 16, 2017, Regular Board Meeting for review and approval by the Board of Trustees.

FISCAL IMPACT:
None

FUNDING SOURCE:
None

RECOMMENDATION:
It is recommended that the Board of Trustees approve the November 16, 2017, Regular Board Meeting minutes as presented.

[BA_2017_11_16_17_Regular_Minutes.pdf \(721 KB\)](#)

Motion & Voting

It is recommended that the Board of Trustees approve the November 16, 2017, Regular Board Meeting minutes as presented.

Motion by Lan Nguyen, second by Pattie Cortese.
 Final Resolution: Motion Carries
 Yea: J Manuel Herrera, Pattie Cortese, Lan Nguyen, Frank Biehl, Van Le

APPROVED
Board of Trustees
January 18, 2018



Preparing every student to thrive in a global society.

**EAST SIDE UNION HIGH SCHOOL DISTRICT
REGULAR MEETING
OF THE
BOARD OF TRUSTEES
Meeting Held at
East Side Union High School District
Board Room
830 N. Capitol Avenue, San Jose, CA 95133
November 16, 2017
4:00 p.m.**

1. CALL TO ORDER / ROLL CALL

1.01 Roll Call

Board President Frank Biehl called the Regular Board meeting to order at 4:05 PM.

Present for roll call:

- President Frank Biehl
- Vice President J. Manuel Herrera
- Clerk Pattie Cortese
- Member Van Le
- Member Lan Nguyen

1.02 Announcement and Public Comment regarding Items to be discussed in Closed Session (Government Code 54957.7).

Persons wishing to address the Board on Closed Session items or any subject not on the agenda must fill out a speaker request form, which is located at the entrance of the Board Room.

There were no public speakers.

1.03 Recess to Closed Session in the Superintendent's Conference Room (Open Session will resume at the end of Closed Session in the Board Room at approximately 6:15 p.m.) See item 2 on agenda (Closed Session).

The Board of Trustees recessed to Closed Session in the Superintendent's Conference Room.

2. CLOSED SESSION

2.01 Mindfulness Practice

2.02 Expulsion(s)

- **17-18-004**
- **17-18-005**
- **17-18-006**
-
- **Student 17-18-004:**
 - Motion by Vice President J. Manuel Herrera, second by Clerk Pattie Cortese, to approve the expulsion of student 17-18-004.
 -
 - Yea: President Frank Biehl, Vice President J Manuel Herrera, Clerk Pattie Cortese, Member Lan Nguyen, Member Van Le
 - Vote: 5/0; Motion Carries
 -
- **Student 17-18-005:**
 - Motion by Member Lan Nguyen, second by Member Van Le, to approve the expulsion of student 17-18-005.
 -
 - Yea: President Frank Biehl, Vice President J Manuel Herrera, Clerk Pattie Cortese, Member Lan Nguyen, Member Van Le
 - Vote: 5/0; Motion Carries
 -
- **Student 17-18-006:**
 - Motion by President Frank Biehl, second by Vice President J. Manuel Herrera, to approve the expulsion of student 17-18-006 as modified.
 -
 - Yea: President Frank Biehl, Vice President J Manuel Herrera, Clerk Pattie Cortese, Member Lan Nguyen, Member Van Le
 - Vote: 5/0; Motion Carries

2.03 Public Employee Performance Evaluation (Government Code Section 54957):

- **Superintendent**

2.04 Public Employment/Public Employee Appointment (Government Code Section 54957)

2.05 Public Employee Discipline/Dismissal/Release (Government Code Section 54957)

Motion by Vice President J. Manuel Herrera, second by Member Van Le, to authorize the issuance of a notice of unpaid suspension and statement of charges to one certificated teacher.

Yea: President Frank Biehl, Vice President J Manuel Herrera, Clerk Pattie Cortese, Member Lan Nguyen, Member Van Le
Vote: 5/0; Motion Carries

2.06 Conference with Labor Negotiators (Government Code Section 54957.6)

Agency Designated Representatives:

Chris D. Funk, Superintendent

Marcus Battle, Associate Superintendent of Business Services

Cari Vaeth, Associate Superintendent of Human Resources

Glenn Vander Zee, Associate Superintendent of Educational Services

Employee Organizations:

American Federation of Teachers (AFT)

California School Employees Association (CSEA)

East Side Teachers Association (ESTA)

Administrator Collaborative of East Side (ACES)

Unrepresented Employees:

Administrators

Managers

Confidential Employees

2.07 Conference with Legal Counsel – Anticipated Litigation:

Significant exposure to litigation pursuant to subdivision (d)(2) of Government Code Section 54956.9:

- **Claim for Damages of W. Garcia**
- **Claim for Damages of T. Nguyen**
- **Four (4) Potential Cases**

Claim for Damages of A. Coleman:

Motion by President Frank Biehl, second by Clerk Pattie Cortese, to reject the claim for damages of A. Coleman.

Yea: President Frank Biehl, Vice President J Manuel Herrera, Clerk Pattie Cortese, Member Lan Nguyen, Member Van Le

Vote: 5/0; Motion Carries

Claim for Damages of P. Lynn:

Motion by Clerk Pattie Cortese, second by Member Van Le, to reject the claim for damages of P. Lynn.

Yea: President Frank Biehl, Vice President J Manuel Herrera, Clerk Pattie Cortese, Member Lan Nguyen, Member Van Le

Vote: 5/0; Motion Carries

Claim for Damages of J. Macy:

Motion by President Frank Biehl, second by Member Lan Nguyen, to reject the claim for damages of J. Macy.

Yea: President Frank Biehl, Vice President J Manuel Herrera, Clerk Pattie Cortese, Member Lan Nguyen, Member Van Le

Vote: 5/0; Motion Carries

Claim for Damages of G. Yates, M. Yates and Student:

Motion by President Frank Biehl, second by Member Van Le, to reject the claim for damages of G. Yates, M. Yates and Student.

Yea: President Frank Biehl, Vice President J Manuel Herrera, Clerk Pattie Cortese, Member Lan Nguyen, Member Van Le

Vote: 5/0; Motion Carries

2.08 Conference with Legal Counsel – Existing Litigation:

Paragraph (1) of subdivision (d) of Government Code Section 54956.9:

One (1) Case

- **Office of Administrative Hearings: Case No. Case No. 2017010352**

Motion #1

Case: OAH No. 2017050631:

Motion by President Frank Biehl, second by Clerk Pattie Cortese, to approve the settlement agreement in the case, which includes payment of \$100,000 in compensatory education services. Such amount to be split: two-thirds to be paid by the Santa Clara County Office of Education; one-third to be paid by East Side Union High School District; another \$10,000 to be paid by East Side Union High School District for educational services. A payment of \$25,000 in attorney's fees, such fees to be split 50/50 between East Side Union High School District and the Santa Clara County Office of Education; and also with a release and no admission of liability.

Yea: President Frank Biehl, Vice President J Manuel Herrera, Clerk Pattie Cortese, Member Lan Nguyen, Member Van Le

Vote: 5/0; Motion Carries

Motion #2

Case: OAH No. 2017050631:

Motion by President Frank Biehl, second by Vice President J. Manuel Herrera, to approve an interagency Memorandum of Understanding with the Santa Clara County Office of Education setting forth the relative shares of the settlement agreement costs.

Yea: President Frank Biehl, Vice President J Manuel Herrera, Clerk Pattie Cortese, Member Lan Nguyen, Member Van Le

Vote: 5/0; Motion Carries

3. RESUME OPEN SESSION AT APPROXIMATELY 6:00 P.M. - EDUCATION CENTER BOARD ROOM

3.01 Pledge of Allegiance

4. WELCOME AND EXPLANATION TO AUDIENCE

4.01 Any person may address the Board on any item on the meeting agenda. Information explaining Board meeting procedures and how citizens can address the Board will be read. Persons wishing to address the Board must fill out a speaker request form, which is located at the entrance of the Board Room. Written information is located near the entrance to the Board Room.

5. ADOPTION OF AGENDA

5.01 The Superintendent and/or Board Member(s) may request that items be removed from the agenda for consideration and/or carried to a future Board meeting for consideration and/or action, and/or that that the Board take action in a regular meeting on a subject not listed on the published agenda on an emergency basis or other basis allowed by law. (Gov. Code 54954.2)

6. BOARD SPECIAL RECOGNITION(S)

6.01 Santa Teresa High School Marching Band & Color Guard:

- **Winners of the 2017 Marine Corps Fleet Week Band Challenge**

7. STUDENT BOARD LIAISON(S) (5 minutes each school)

7.01 Evergreen Valley High School Robotics:

- **The Prototypes 2854:**
 - **Aditya Garg, Evergreen Valley High School**
 - **Ryan Nguyen, Silver Creek High School**

Public speaker:

- **Cecilia (Ceal) D. Craig**

7.02 Foothill High School:

- **Aylin Del Rio Solorio, Student Representative**
- **Ivan Del Rio Solorio, Student Representative**
- **Bryan Efrain Ortiz, Student Representative**
- **Adriana Robles, Student Representative**

8. SPECIAL ORDER OF BUSINESS - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION

8.01 The Superintendent and/or Board Member(s) may request that items be considered, discussed, and acted on out of the order indicated on the agenda as per schedule.

8.02 Discussion and/or Receipt of Charter School Renewal Petition for Escuela Popular Center for Training and Careers Submitted by Escuela Popular del Pueblo - Glenn Vander Zee, Associate Superintendent of Educational Services, Kirsten King, Director of Assessment & Accountability, and Lucretia Peebles, Ph.D., Administrator for Charter School Oversight

Received charter school renewal petition for Escuela Popular Center for Training and Careers as submitted by Escuela Popular del Pueblo.

8.03 Discussion and/or Action on KIPP San Jose Collegiate High School Charter Renewal Petition - Glenn Vander Zee, Associate Superintendent of Educational Services, Kirsten King, Director of Assessment & Accountability, and Lucretia Peebles, Ph.D., Administrator for Charter School Oversight

Public speakers:

- Thomas Ryan
- Rosa Bautista
- Rita Ramirez
- Lourdes Cortes
- Rosario Ortiz
- Gustavo Arambula
- Gabby Melendez Quan
- Eliana Porton
- Quynh Mai
- Marisa Hanson, ESTA President
- Dolores Salcido

Motion by President Frank Biehl, second by Member Lan Nguyen, to approve the proposed KIPP San Jose Collegiate High School Charter Renewal Petition submitted by KIPP Bay Area Schools' Authorized Lead Petitioner, Tom Ryan, with a proviso on enrollment cap. The KIPP San Jose Collegiate High School charter renewal will be for a five-year term, commencing on July 1, 2018, to end on June 30, 2023, with an enrollment cap of 550 students.

Yea: President Frank Biehl, Vice President J Manuel Herrera,
Clerk Pattie Cortese, Member Lan Nguyen, Member Van Le
Vote: 5/0; Motion Carries

9. PUBLIC HEARING(S) - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION

9.01 Hold Public Hearing at Approximately 6:45 p.m. – Disclosure of Major Provisions of Proposed Tentative Agreement for 2017-2018 Contract Reopeners with California School Employees Association, Chapter 187 (Per AB1200; Government Code Section 3547.5); Discussion and/or Action - Cari Vaeth, Associate Superintendent of Human Resources

Public hearing held. There were no public speakers.

9.02 Discussion and/or Action to Ratify and Approve Tentative Agreement for 2017-2018 Contract Reopeners with California School Employees Association, Chapter 187 (Per AB1200; Government Code Section 3547.5) - Cari Vaeth, Associate Superintendent of Human Resources

Motion by Vice President J Manuel Herrera, second by Member Van Le, to ratify the tentative agreement for 2017-2018 contract reopeners between the East Side Union High School District and the California School Employees Association, Chapter 187.

Public speaker:
Julio Pardo, CSEA President

Yea: President Frank Biehl, Vice President J Manuel Herrera,
Clerk Pattie Cortese, Member Lan Nguyen, Member Van Le
Vote: 5/0; Motion Carries

10. PUBLIC MEMBERS WHO WISH TO ADDRESS THE BOARD

10.01 Members of the public may address the Board on any subject not on tonight's agenda; however, provisions of the Brown Act (Government Code Section 54954.2(a) and 54954.3) preclude any action. As an unagendized item, no response is required from the Board or District staff and no action can be taken; however, the Board may instruct the Superintendent to agendize the item for a future meeting. Any person may address the Board on any item on the meeting agenda. Persons wishing to address the Board must fill out a speaker request form, which is located at the entrance of the Board Room. When your name is called, please come to the podium, state your name for the record, and limit your remarks to three (3) minutes.

Public speaker:
•Olivia Navarro - Santa Teresa HS Track & Field Improvements
•Luis Arguello - Santa Teresa HS Track & Field Improvements
•Gilbert Rivera - Santa Teresa HS Track & Field Improvements

11. BOARD OF TRUSTEES/SUPERINTENDENT - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION

11.01 Discussion and/or Action to Receive and Adopt Second Reading of Proposed Amendments to Board Policy #0105 Equity - Chris D. Funk, Superintendent

Motion by Clerk Pattie Cortese, second by Vice President J Manuel Herrera, to receive and adopt the second reading of proposed amendments to Board Policy #0105 Equity.

Yea: President Frank Biehl, Vice President J Manuel Herrera,
Clerk Pattie Cortese, Member Lan Nguyen, Member Van Le
Vote: 5/0; Motion Carries

11.02 Discussion and/or Action regarding Call for Nominations to CSBA Delegate Assembly - Frank Biehl, Board Member

It is recommended that the Board of Trustees consider submitting nomination(s) to the CSBA Delegate Assembly.

Motion by Vice President J Manuel Herrera, second by Clerk Pattie Cortese, to nominate Frank Biehl to the CSBA Delegate Assembly.

Yea: President Frank Biehl, Vice President J Manuel Herrera, Clerk Pattie Cortese, Member Lan Nguyen, Member Van Le
Vote: 5/0; Motion Carries

11.03 Discussion and/or Action to Adopt Proposed Amendment to 2017-2018 Board Meeting Calendar - Frank Biehl, Board President

Motion by Vice President J Manuel Herrera, second by Member Lan Nguyen, to amend the 2017-2018 Board Meeting Calendar, specifically the rescheduling of the February 15, 2018, Board meeting to February 13, 2018.

Yea: President Frank Biehl, Vice President J Manuel Herrera, Clerk Pattie Cortese, Member Lan Nguyen, Member Van Le
Vote: 5/0; Motion Carries

12. EDUCATIONAL SERVICES/STUDENT SERVICES - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION

12.01 Presentation, Discussion and/or Action regarding LCAP Goals and Strategic Plan Key Performance Measure Data Points - Glenn Vander Zee, Associate Superintendent of Educational Services, and Kirsten King, Director of Assessment & Accountability

The Board requested an in depth presentation be provided at a Study Session to be scheduled in January, 2018.

Presentation item; no action taken

12.02 Presentation, Discussion and/or Action regarding Local Dashboard Accountability Measures - Glenn Vander Zee, Associate Superintendent of Educational Services

Presentation item; no action taken

12.03 Presentation and/or Discussion regarding Positive School Culture and Appropriate Responses to Student Behavior - Glenn Vander Zee, Associate Superintendent of Educational Services, and ShaKenya Edison, Director II of Student Services

Presentation item; no action taken

Public speakers:

- Lori Thomas
 - Marisa Hanson, ESTA President
 - Jay Braun
 - Julio Pardo, CSEA President
- Dana Bunnett

The Board requested an in depth presentation be provided at a Study Session to be scheduled in January, 2018.

12.04 Presentation, Discussion and/or Action regarding After School Programs - Glenn Vander Zee, Associate Superintendent of Educational Services, and Teresa Marquez, Director of Professional Development and Instructional Services

Presentation item; no action taken

12.05 Presentation, Discussion and/or Action regarding East Side Union High School District's Child Development Program and Services - Glenn Vander Zee, Associate Superintendent, and Rich Uribe, Director of Adult Education

Public speaker:

- Julio Pardo, ESTA President

Motion by President Frank Biehl, second by Vice President J Manuel Herrera, to direct staff to investigate the possibility of vacating our Federal and State contracts for early learning education to a non profit (s) which specialize in early learning education.

Yea: President Frank Biehl, Vice President J Manuel Herrera,
Clerk Pattie Cortese, Member Lan Nguyen, Member Van Le
Vote: 5/0; Motion Carries

12.06 Discussion and/or Action to Receive and Adopt Second Reading of Additions, Proposed Amendments and Deletions to the following Board Policies: BP 5131 Conduct, BP 5137 Positive School Climate, BP 5144 Discipline, BP 5144.1 Suspension and Expulsion, BP 5145.1 Arrest of Minors, BP 5145.11 Questioning and Apprehension by Law Enforcement and BP 5145.12 Search and Seizure - Glenn Vander Zee, Associate Superintendent of Educational Services and ShaKenya Edison, Director II of Student Services

Motion by President Frank Biehl, second by Member Lan Nguyen, to receive and adopt the second reading of additions, proposed amendments and deletions to the following Board Policies: BP 5131 Conduct (amended), BP 5137 Positive School Climate (amended), BP 5144 Discipline (amended), BP 5144.1 Suspension and Expulsion (amended), BP 5145.1 Arrest of Minors (deletion), BP 5145.11 Questioning and Apprehension by Law Enforcement (amended) and BP 5145.12 Search and Seizure (new).

Yea: President Frank Biehl, Vice President J Manuel Herrera,
Clerk Pattie Cortese, Member Lan Nguyen, Member Van Le
Vote: 5/0; Motion Carries

13. BUSINESS SERVICES - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION

13.01 Presentation, Discussion and/or Action to Approve the Cooperative Agreement from Awarding Agency Shasta Union High School District for District-Wide MFP Devices (RFP A77-2013) - Marcus Battle, Associate Superintendent of Business Services, Janice Unger, Director of Purchasing and Capital Accounting, and Francine Brissey, General Purchasing Manager

Motion by President Frank Biehl, second by Member Lan Nguyen, to reject (RFP GP091617) and approve the use of this cooperative agreement (in accordance with Public Contract Code 20118, 20118.2 & Section 1101) from Shasta Union High School District (RFP A77-2013) finding that it is in the District's best interest to enter into lease and purchase order maintenance contracts with Ray Morgan Company for MFP devices and maintenance services for East Side Union High School District at a negotiated estimated annual amount of \$399,477 for a four (4) year period and allow Administration to execute change orders in accordance with Board Policy 3312.1.

Yea: President Frank Biehl, Vice President J Manuel Herrera,
Clerk Pattie Cortese, Member Lan Nguyen, Member Van Le
Vote: 5/0; Motion Carries

13.02 Discussion and/or Action to Approve the Contract(s) for Professional Services Over \$25,000 - Marcus Battle, Associate Superintendent of Business Services, Janice Unger, Director of Purchasing and Capital Accounting, and Francine Brissey, General Purchasing Manager

Motion by Vice President J Manuel Herrera, second by Member Van Le, to approve the contract(s) for professional services over \$25,000 as presented and authorize the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by greater than ten percent (10%) of the contract amount, but not to exceed \$25,000 exclusive of any approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board approved contract per Board Policy 3312.1.

Yea: President Frank Biehl, Vice President J Manuel Herrera,
Clerk Pattie Cortese, Member Lan Nguyen, Member Van Le
Vote: 5/0; Motion Carries

14. HUMAN RESOURCES - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION

14.01 No Items on Calendar under this Section

15. FACILITIES/BOND - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION

15.01 Discussion and/or Action to Approve Funding for the James Lick High School New Parking Lot Improvements Per Joint Use Agreement with Escuela Popular - Marcus Battle, Associate Superintendent of Business Services, Julio Lucas, Director of Construction, Maintenance, and Facilities, Janice Unger, Director of Purchasing and Capital Accounting, Abbas Daeenabi, Deputy Bond Program Manager, SGI, and Patricia Reguerin, Executive Director, Escuela Popular

Motion by Vice President J Manuel Herrera, second by President Frank Biehl, to approve the use of Escuela Popular's allocation Measure E, Measure I General Obligation Bond funds in the amount of \$561,406.51 towards the James Lick High School New Parking Lot project shared with Escuela Popular, and that the Board consider and approve the allocation of up to \$500,000 in District Capital Facilities funds for the James Lick High School New Parking Lot project shared with Escuela Popular, subject to agreement on mutually acceptable reimbursement terms and the Board's approval of such reimbursement terms at a future Board meeting.

Yea: President Frank Biehl, Vice President J Manuel Herrera,
Clerk Pattie Cortese, Member Lan Nguyen, Member Van Le
Vote: 5/0; Motion Carries

15.02 Presentation, Discussion and/or Action to Approve Proposed Program Management Services Firm for the District's Measures G, E, I and Z Bond Program - Marcus Battle, Associate Superintendent of Business Services, Julio Lucas, Director of Construction, Maintenance, and Facilities, and Janice Unger, Director of Purchasing and Capital Accounting

Item pulled/carried to November 20, 2017, Special Board Meeting.

15.03 Discussion and/or Action to Extend Program Management Agreement with Seville Group, Inc., for the Bond Program - Marcus Battle, Associate Superintendent of Business Services, Julio Lucas, Director of Construction, Maintenance, and Facilities, Janice Unger, Director of Purchasing and Capital Accounting

Item pulled/carried to November 20, 2017, Special Board Meeting.

15.04 Discussion and/or Action to Approve the Bond/Capital Projects Contract(s) Over \$50,000 - Marcus Battle, Associate Superintendent of Business Services, Julio Lucas, Director of Construction, Maintenance and Facilities, Janice Unger, Director of Purchasing and Capital Accounting, and Tu Nguyen, Capital Projects Purchasing Manager

Motion by Member Lan Nguyen, second by Clerk Pattie Cortese, to approve the bond/capital projects contract(s) as presented; and to authorize the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term up to ten percent (10%) of the original Board-approved contract amount, but not to exceed \$175,000.00 in total and change orders to contracts for capital construction related professional services up to ten percent (10%) of the original contract value, but not to exceed \$50,000.00 as per Board Policy 3312.1.

Yea: President Frank Biehl, Vice President J Manuel Herrera,
Clerk Pattie Cortese, Member Lan Nguyen, Member Van Le
Vote: 5/0; Motion Carries

15.05 Discussion and/or Action to Receive First Reading and Adopt Correction/Amendment to the Bylaws of the Citizens' Bond Oversight Committee for Measures G, E, I, Technology I and Z; and to Waive Board Bylaw 9310 requiring Second Reading - Vince Tran, Chairperson of the Citizens' Bond Oversight Committee

Motion by President Frank Biehl, second by Member Van Le, to: 1) Waive the second reading requirement under Bylaw 9310 as to the correction/amendment to the Bylaws of the Citizens' Bond Oversight Committee for Measures G, E, I, Technology I and Z, a correction to the amount for the Measure Z Bond; and, 2) Adopt the correction/amendment to the Bylaws of the Citizens' Bond Oversight Committee for Measures G, E, I, Technology I and Z, a correction to the amount for the Measure Z Bond to \$510,000,000.

Yea: President Frank Biehl, Vice President J Manuel Herrera,
Clerk Pattie Cortese, Member Lan Nguyen, Member Van Le
Vote: 5/0; Motion Carries

Consent / Action Calendar Sections 16-20

All items listed under the Consent/Action Calendar are considered by the Board to be routine and will be enacted in one motion. There will be no discussion of these items prior to the time the Board considers the motion, unless members of the Board or the Superintendent request specific items to be discussed and/or removed from the Consent/Action Calendar.

Superintendent asserts that the following Business Transactions, Personnel Actions, Maintenance of Records, Approvals and Recommendations requiring Board Action have been carried out to the best of his knowledge in accordance with the law.

Motion by Vice President J Manuel Herrera, second by Member Lan Nguyen, to approve the entire consent/action calendar as presented.

Yea: President Frank Biehl, Vice President J Manuel Herrera, Clerk Pattie Cortese, Member Lan Nguyen, Member Van Le

Vote: 5/0; Motion carries

16. BOARD OF TRUSTEES/SUPERINTENDENT - CONSENT/ACTION CALENDAR

16.01 Approve Minutes of September 7, 2017 Special Board Meeting

17. EDUCATIONAL SERVICES / STUDENT SERVICES - CONSENT/ACTION CALENDAR

17.01 Ratify/Approve School Field Trips

17.02 Approve School Attendance Review Board (SARB) for 2017-2018 School Year

18. BUSINESS SERVICES - CONSENT/ACTION CALENDAR

18.01 Approve Award of Bids and Request for Proposals for General Purchasing

18.02 Ratify/Approve Contract(s) for Professional Services At or Below \$25,000

18.03 Approve Purchase Orders Dated October 1, through October 31, 2017

18.04 Ratify/Approve Change Orders to Purchase Orders

18.05 Ratify/Approve CUPCCAA Informal General Purchasing Project(s)

18.06 Ratify/Approve Memoranda of Understanding

18.07 Accept Report of Credit Card Purchases for Statement Dated April 24, 2017

18.08 Approve Budget Transfers for the Month of September, 2017

18.09 Accept Warrant Register for the Month of September, 2017

19. HUMAN RESOURCES - CONSENT/ACTION CALENDAR

19.01 Ratify/Approve Classified Personnel Actions Presented November 16, 2017

19.02 Ratify/Approve Certificated Personnel Actions Presented November 16, 2017

19.03 Ratify/Approve Student Aide Personnel Actions Presented November 16, 2017

20. FACILITIES/BOND - CONSENT/ACTION CALENDAR

20.01 Approve the Capital Program Budget Adjustment Report

20.02 Ratify Bond/Capital Projects Contract(s) for Professional Services At or Below \$50,000

20.03 Ratification of Bond/Capital Projects Change Orders to Construction Contracts and Purchase Orders At or Below \$175,000

20.04 Ratify CUPCAA Informal Bond Project(s)

21. WRITTEN REPORTS/RECOMMENDATIONS

21.01 Instructional Policies Committee (IPC) Update

Report received

21.02 Receive Report of Board Members Expenses for July, August and September of the 2017/18 Fiscal Year

Report received

22. FUTURE AGENDA ITEMS

22.01 Opportunity for Board of Trustees to Request Items on Future Agendas

The following items were requested for placement as future agenda items:

- Board Clerk Pattie Cortese:
 - Burns Institute Study
 - Substitutes

- Board Member Van Le
 - Alternative Schools

22.02 Future Items

Frank Biehl, Board President

Item	Date (tentative)	Type
Charter Schools	December 7, 2017	Report

Pattie Cortese, Board Clerk

Item	Date (tentative)	Type
Teen Parents <ul style="list-style-type: none">•Education•Support•Child Care at James Lick HS (educational support)	December, 2017	Presentation/Discussion

Van Le, Board Member

Item	Date (tentative)	Type
Grading Policy	February 3, 2017	Report

22.03 Annual Governance Calendar

<p>July:</p> <ul style="list-style-type: none"> •Summer School Program (concludes session) •Summer School Graduation <p>August:</p> <ul style="list-style-type: none"> •Board Members' Expenses Report (Apr/May/June) •Expulsion Hearing Panel Committee •First Day of School •Superintendent's Annual Evaluation •Williams Quarterly Report <p>September:</p> <ul style="list-style-type: none"> •Board Study Session/Workshop •College Night •Conflict of Interest Board Policy (updates) •Public Hearing and Adoption: Gann Spending Limit •Public Hearing: Sufficiency/Insufficiency of Textbooks •Receive Annual Developer Fees Report •Unaudited Actuals <p>October:</p> <ul style="list-style-type: none"> •Bond Program Presentation •Solar Energy Presentation •Student Achievement Presentation •Williams Quarterly Report <p>November:</p> <ul style="list-style-type: none"> •Academic Success Analysis Biannual Presentation •Board Members Expenses' Report (July/Aug/Sept) •Board Study Session/Workshop •Election Orientation for New Board Members <p>December:</p> <ul style="list-style-type: none"> •Annual Organizational Board Meeting •CSBA Annual Conference •Election Orientation for New Board Members •End of First Semester •First Interim Report <p>January:</p> <ul style="list-style-type: none"> •Audit Report •Board Audit Committee Selections/Appointments •Board Retreat •Financial & Performance Audit Report for Bond Measures •Magnet Night •Martin Luther King, Jr. Writing, Art & Multi-Media Awards Ceremony & Reception •Master Business Relationship Agreement between ESUHSD and MetroED •Policies & ByLaws (Begin Review by Series) •Sports Recognitions (Fall) •Technology Report •Williams Quarterly Report 	<p>February:</p> <ul style="list-style-type: none"> •African American Students Achievement Awards •Audit Committee Charter Amendment(s) •Board Members' Expenses Report (Oct/Nov/Dec) •CSBA Delegate Assembly Election •IPC Annual Presentation •Non-Re-Elects •Safety Plan Goals for Each Site •State of the District <p>March:</p> <ul style="list-style-type: none"> •Academic Success Analysis Biannual Presentation •Cesar Chavez Writing, Art & Multi-Media Awards Luncheon •Latino Student Awards Recognition Ceremony •March 15 Notices •NSBA Annual Conference (<i>March or April</i>) •Second Interim Report •SJPD Secondary Employment Application •Superintendent's Mid-Year Evaluation •Vietnamese Students Achievement Awards <p>April:</p> <ul style="list-style-type: none"> •Board Study Session/Workshop •Form 700 – Statement of Economic Interests Due to Santa Clara County (filing) •Honor Nights (April/May) •Migrant Education Awards Night •Williams Quarterly Report <p>May:</p> <ul style="list-style-type: none"> •Asian American/Pacific Islander History Month Poster & Essay Contest Awards/Celebration •Board Members' Expenses Report (Jan/Feb/Mar) •Board Self-Evaluation •Board Study Session/Workshop •Budget (Preliminary/Draft) Presentation •Employee Retiree & Recognition Event •Graduations •Honor Nights (April/May) •Last Day of School •Preliminary Review of Proposed LCAP <p>June:</p> <ul style="list-style-type: none"> •Annual Consolidated Program Application (CONAPP) •Budget (Preliminary) with May Revisions Public Hearing (first June Board Meeting) •Budget Adoption (second June Board Meeting) •Budget Advisory Committee: Nominate/Appoint Board Reps (2) & Alternative Board Rep (1) -- (2-yr term, fiscal year) •Employee Retirement Celebration •ESTA Safety Survey •International Student Program Annual Presentation •Master Contracts for Capital Projects •Plan for Expelled Youth (due every 3 years; due 2018) •Safety Plan Assessment for Each School •Single Plan for Student Achievement (SPSA) Each School •Sports Recognitions (Winter/Spring) •Summer School Program (session begins)
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23. BOARD OF TRUSTEES/SUPERINTENDENT COMMUNICATIONS/COMMENTS

23.01 Board of Trustees:

- Frank Biehl, President
- J. Manuel Herrera, Vice President
- Pattie Cortese, Clerk
 - Board Audit Committee
- Lan Nguyen, Member
- Van Le, Member
 - MetroED

23.02 Chris D. Funk, Superintendent

24. REPORT CLOSED SESSION ACTION(S)

24.01 Legal Counsel will Report on Closed Session Actions

25. ADJOURNMENT

25.01 President Adjourns the Meeting

President Biehl adjourned the meeting at 9:00 PM.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Lan Nguyen". The signature is fluid and cursive, with a large initial "L" and "N".

Board Clerk



Preparing every student to thrive in a global society.

Agenda Item Details

Meeting Nov 16, 2017 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133

Category 13. BUSINESS SERVICES - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION

Subject 13.02 Discussion and/or Action to Approve the Contract(s) for Professional Services Over \$25,000 - Marcus Battle, Associate Superintendent of Business Services, Janice Unger, Director of Purchasing and Capital Accounting, and Francine Brissey, General Purchasing Manager

Access Public

Type Action, Discussion

Recommended Action It is recommended that the Board of Trustees approve the contract(s) for professional services over \$25,000 as recommended in the attachment and authorization is being requested for the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by greater than ten percent (10%) of the contract amount, but not to exceed \$25,000 exclusive of any approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board approved contract per Board Policy 3312.1.

Public Content

EAST SIDE UNION HIGH SCHOOL DISTRICT

TO: Board of Trustees

FROM: Chris D. Funk, Superintendent

PREPARED BY: Marcus Battle, Associate Superintendent of Business Services, Janice Unger, Director of Purchasing and Capital Accounting, and Francine Brissey, General Purchasing Manager

SUBJECT: Discussion and/or Action to Approve the Contract(s) for Professional Services Over \$25,000

The attached contract(s) for professional services over \$25,000 are being presented for Board review and approval and to authorize administration to amend said contracts in accordance with Board Policy 3312.1.

Fiscal Impact:
As indicated in the attachment

Funding Source:
As indicated in the attachment

Recommendation:
It is recommended that the Board of Trustees approve the contract(s) for professional services over \$25,000 as presented and authorize the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by greater than ten percent (10%) of the contract amount, but not to exceed \$25,000 exclusive of any approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board approved contract per Board Policy 3312.1.

[2017 1116 Contracts Over \\$25000.pdf \(101 KB\)](#)

Executive Content

Motion & Voting

It is recommended that the Board of Trustees approve the contract(s) for professional services over \$25,000 as presented and authorize the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by greater than ten percent (10%) of the contract amount, but not to exceed \$25,000 exclusive of any approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board approved contract per Board Policy 3312.1.

Motion by Vice President J Manuel Herrera, second by Member Van Le.

Final Resolution: Motion Carries

Yea: President Frank Biehl, Vice President J Manuel Herrera, Clerk Pattie Cortese, Member Lan Nguyen, Member Van Le

EAST SIDE UNION HIGH SCHOOL DISTRICT

Contract(s) for Professional Services Over \$25,000

Board Meeting of November 16, 2017

1. California Department of Education CCTR-7270-01 (Amendment No. 01)

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Rich Uribe Francine Brissey	July 1, 2017 – June 30, 2018	Original: \$978,151.00 Amended: \$127,495.00 Total: \$1,105,646.00 Revenue Child Development	Child Development/ Richard Uribe

Contract Request

East Side Union High School District (ESUHSD) administration is requesting the Board of Trustees to approve the revenue contract with the California Department of Education. This amendment will increase the maximum reimbursable amount from \$978,151 to \$1,105,646 and the maximum rate per child from \$40.20 to \$45.44 but no other particulars.

Selection Process

N/A

Recommendation

It is recommended that the Board of Trustees approve the revenue contract with California Department of Education in the amount total amended amount of \$1,105,646.00 for the term of July 1, 2017, through June 30, 2018.

2. California Department of Education CCSP-7560-01 (Amendment No. 01)

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Rich Uribe Francine Brissey	July 1, 2017 – June 30, 2018	Original: \$598,334.00 Amended: \$78,104.00 Total: \$674,438.00 Revenue Child Development	Child Development/ Richard Uribe

Contract Request

East Side Union High School District (ESUHSD) administration is requesting the Board of Trustees to approve the revenue contract with the California Department of Education. This amendment will increase the maximum reimbursable amount from \$598,334.00 to \$674,438.00 and the maximum rate per child from \$40.45 to \$45.73 but no other particulars.

Selection Process

N/A

Recommendation

It is recommended that the Board of Trustees approve the revenue contract with California Department of Education in the amount total amended amount of \$674,438.00 for the term of July 1, 2017, through June 30, 2018.

EAST SIDE UNION HIGH SCHOOL DISTRICT

Contract(s) for Professional Services Over \$25,000

Board Meeting of November 16, 2017

3. Association for Supervision and Curriculum Development (ASCD)

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Teresa Marquez Francine Brissey	October 3, 2017 – April 19, 2018	\$34,612.90/ Educator Effectiveness	Education Center/ Professional Development and Curriculum/ Teresa Marquez

Contract Request

East Side Union High School District (ESUHSD) administration is requesting the Board of Trustees to approve the contract with ASCD. ASCD will provide professional development services on site as well as virtually.

Selection Process

N/A

Recommendation

It is recommended that the Board of Trustees approve the contract with ASCD in the amount of \$34,612.90 for the term of October 3, 2017, through April 19, 2018. It is also recommended that the Board authorize administration to execute change orders in accordance with Board Policy 3312.1.

4. 101 Therapy Staffing Inc.

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Barbara Moore Francine Brissey	September 1, 2017 – June 30, 2018	\$420,000.00/ Various	Special Services/ Instructional Services/ Barbara Moore

Contract Request

East Side Union High School District (ESUHSD) administration is requesting the Board of Trustees to approve the contract with 101 Therapy Staffing, Inc. 101 Therapy Staffing, Inc. will provide ESUHSD with suitable and qualified special education teachers.

Selection Process

N/A

Recommendation

It is recommended that the Board of Trustees approve the contract with 101 Therapy Staffing, Inc. in the amount of \$420,000.00 for the term of September 1, 2017, through June 30, 2018. It is also recommended that the Board authorize administration to execute change orders in accordance with Board Policy 3312.1.

EAST SIDE UNION HIGH SCHOOL DISTRICT

Contract(s) for Professional Services Over \$25,000

Board Meeting of November 16, 2017

5. Wing's Learning Center

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Barbara Moore Glenn Vander Zee Francine Brissey	July 1, 2017 – June 30, 2018	\$75,000.00/ Tuition	Special Services/ Instructional Services/ Barbara Moore

Contract Request

East Side Union High School District (ESUHSD) administration is requesting the Board of Trustees to approve the contract with Wing's Learning Center. Wing's Learning Center will provide non-public services and other related services for special education students per IEP requirements with the Santa Clara County SELPAs/District Master Contract/General Agreement for non-sectarian, non-public school/agency services.

Selection Process

SELPA Agreement

Recommendation

It is recommended that the Board of Trustees approve the contract with Wing's Learning Center in the amount of \$75,000.00 for the term of July 1, 2017, through June 30, 2017. It is also recommended that the Board authorize administration to execute change orders in accordance with Board Policy 3312.1.

6. ConnectEd: The California Center for College and Career

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Tim Nguyen Francine Brissey	July 1, 2017 – June 30, 2018	\$170,000.00/ Various	District Wide/ Career Services/ Tim Nguyen

Contract Request

East Side Union High School District (ESUHSD) administration is requesting the Board of Trustees to approve the contract with ConnectED. This is the third year of the East Side partnership with ConnectEd. The first two years provided on the ground coaching designed to contribute to the district's further development of a strong collage and career readiness program. New pathways/academies also received professional development that supported the planning and implementation of strong programs of study with articulated student outcomes. During the second year the support provided addressed a new level of the system by seeking to support employer and community engagement through introducing the purpose, process and impact of the regional internship program East Side participates in. All of his work continues in the third year of the partnership.

EAST SIDE UNION HIGH SCHOOL DISTRICT

Contract(s) for Professional Services Over \$25,000

Board Meeting of November 16, 2017

Selection Process

Continued Partnership

Recommendation

It is recommended that the Board of Trustees approve the contract with ConnectEd in the amount of \$170,000.00 for the term of July 1, 2017, through June 30, 2018. It is also recommended that the Board authorize administration to execute change orders in accordance with Board Policy 3312.1.

7. Ellen Hoke – Change Order (CO) No. 01

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Barbara Moore Francine Brissey	August 8, 2017 – June 30, 2018	Original: \$191,000.00 CO No. 01: \$165,000.00 Total: \$356,000.00 Special Education	Special Services/ Instructional Services/ Barbara Moore

Contract Request

East Side Union High School District (ESUHSD) administration is requesting the Board of Trustees to approve the change order for Ellen Hoke. Ellen Hoke will be providing two additional Braille Transcribers at an hourly rate of \$110 for approximately 30 hours a week.

Selection Process

N/A

Recommendation

It is recommended that the Board of Trustees approve the change order with Ellen Hoke in the amount of \$165,000.00 for a total value of \$356,000.00.

8. Heartspring, Inc. - Change Order (CO) No. 01

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Barbara Moore Francine Brissey	July 1, 2017 – June 30, 2018	Original: \$107,240.00 CO No. 01: \$217,890.00 Total: \$325,130.00 Tuition	Special Services/ Instructional Services/ Barbara Moore

Contract Request

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees to approve the change order for Heartspring, Inc. This change order is due to an underestimate of the annual expenses.

Selection Process

N/A

Recommendation

It is recommended that the Board of Trustees approve the Change Order No. 01 with Heartspring in the amount of \$217,890.00 for a total value of \$325,130.00.



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Agenda Item Details

Meeting Nov 16, 2017 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133

Category 15. FACILITIES/BOND - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION

Subject 15.04 Discussion and/or Action to Approve the Bond/Capital Projects Contract(s) Over \$50,000 - Marcus Battle, Associate Superintendent of Business Services, Julio Lucas, Director of Construction, Maintenance and Facilities, Janice Unger, Director of Purchasing and Capital Accounting, and Tu Nguyen, Capital Projects Purchasing Manager

Access Public

Type Action, Discussion

Recommended Action It is recommended that the Board of Trustees approve the bond/capital projects contract(s) as presented; and to authorize the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term up to ten percent (10%) of the original Board-approved contract amount, but not to exceed \$175,000.00 in total and change orders to contracts for capital construction related professional services up to ten percent (10%) of the original contract value, but not to exceed \$50,000.00 as per Board Policy 3312.1.

Public Content

EAST SIDE UNION HIGH SCHOOL DISTRICT

TO: Board of Trustees

FROM: Chris D. Funk, Superintendent

PREPARED BY: Marcus Battle, Associate Superintendent of Business Services, Julio Lucas, Director of Construction, Maintenance and Facilities, Janice Unger, Director of Purchasing and Capital Accounting, and Tu Nguyen, Capital Projects Purchasing Manager

SUBJECT: Discussion and/or Action to Approve the Bond/Capital Projects Contract(s) Over \$50,000

The attachment for the bond/capital projects contract(s) over \$50,000 is being presented for Board review and approval.

Fiscal Impact:
As indicated in the attachment

Funding Source:
As indicated in the attachment

Recommendation:
It is recommended that the Board of Trustees approve the bond/capital projects contract(s) as presented; and to authorize the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term up to ten percent (10%) of the original Board-approved contract amount, but not to exceed \$175,000.00 in total and change orders to contracts for capital construction related professional services up to ten percent (10%) of the original contract value, but not to exceed \$50,000.00 as per Board Policy 3312.1.

[2017 1116 Contract Over \\$50K.pdf \(131 KB\)](#)

[Attachment A.pdf \(324 KB\)](#)

[Attachment B.pdf \(247 KB\)](#)

[Attachment C.pdf \(241 KB\)](#)

[Attachment D.pdf \(1,239 KB\)](#)

Executive Content

Motion & Voting

It is recommended that the Board of Trustees approve the bond/capital projects contract(s) as presented; and to authorize the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term up to ten percent (10%) of the original Board-approved contract amount, but not to exceed \$175,000.00 in total and change orders to contracts for capital construction related professional services up to ten percent (10%) of the original contract value, but not to exceed \$50,000.00 as per Board Policy 3312.1.

Motion by Member Lan Nguyen, second by Clerk Pattie Cortese.

Final Resolution: Motion Carries

Yea: President Frank Biehl, Vice President J Manuel Herrera, Clerk Pattie Cortese, Member Lan Nguyen, Member Van Le

EAST SIDE UNION HIGH SCHOOL DISTRICT
Bond/Capital Projects Contract(s) for Services over \$50,000
Board Meeting November 16, 2017

1. DW Learning Devices – Samsung Chromebooks – Arey Jones Educational Solutions (Piggyback)

Reviewed by:	Contract Period	Fiscal Impact/Funding Source	School/Department/Manager
Randy Phelps Marcus Battle Janice Unger	January 1, 2015 through December 31, 2017 with a (1) year extension option	\$1,881,568.08 (Measure I – Technology)	Education Center/Information Technology Randy Phelps, CTO

East Side Union High School District (ESUHSD) is requesting authorization from the Board of Trustees to approve a purchase order agreement for Samsung Chromebooks (Qty: 8,064) with Arey Jones Educational Solutions for the DW Learning Devices Project. (Project No.: IT-013-002). Per Quote #: EEES17-2085 (See Attachment A)

At Board Meeting on June 8, 2017 (Item 20.02), Board of Trustees approved Information Technology Services staff to use the PEPPM contract, administered by the Central Susquehanna Intermediate Unit (CSIU) to purchase Samsung Chromebooks and other technology equipment.

FISCAL IMPACT:	\$1,881,568.08
FUNDING SOURCE:	Measure I (Technology)
RECOMMENDATION:	It is recommended that the Board of Trustees approve the purchase order agreement with Arey Jones Educational Solutions for an amount not to exceed \$1,881,568.08 for (Qty: 8,064) Samsung Chromebooks for the DW Learning Devices Project (Project No.: IT-013-002) and to authorize Administration to execute change orders in accordance with Board Policy 3312.1 if needed.

2. DW Learning Devices – Bretford Furniture Manufacturing – Arey Jones Educational Solutions (Piggyback)

Reviewed by:	Contract Period	Fiscal Impact/Funding Source	School/Department/Manager
Randy Phelps Marcus Battle Janice Unger	October 1, 2015 through October 31, 2018	\$376,134.64 (Measure I – Technology)	Education Center/Information Technology Randy Phelps, CTO

East Side Union High School District (ESUHSD) is requesting authorization from the Board of Trustees to approve a purchase order agreement for Bretford Ever Cart with Mix Module System (Qty: 224) with Arey Jones Educational Solutions for the DW Learning Devices Project. (Project No.: IT-013-002). Per Quote #: EEES17-2086 (See Attachment B)

At Board Meeting on June 8, 2017 (Item 20.02), Board of Trustees approved Information Technology Services staff to use the NCPA (Lead Agency: Region 14 ESC) contract to purchase computer carts for MacBook Pro, Chromebook Carts, and Windows Laptop Carts.

EAST SIDE UNION HIGH SCHOOL DISTRICT
Bond/Capital Projects Contract(s) for Services over \$50,000
Board Meeting November 16, 2017

FISCAL IMPACT:	\$376,134.64
FUNDING SOURCE:	Measure I (Technology)
RECOMMENDATION:	It is recommended that the Board of Trustees approve the purchase order agreement with Arey Jones Educational Solutions for an amount not to exceed \$376,134.64 for (Qty: 224) Bretford Ever Carts for the DW Learning Devices Project (Project No.: IT-013-002) and to authorize Administration to execute change orders in accordance with Board Policy 3312.1 if needed.

3. DW Projection Devices – Recordex – MicroK12 – Resellers (Piggyback)

Reviewed by:	Contract Period	Fiscal Impact/Funding Source	School/Department/Manager
Randy Phelps Marcus Battle Janice Unger	January 1, 2016 through December 31, 2017 with option to extend for additional three, six, or twelve month period	\$595,486.79 (Measure I – Technology)	Education Center/Information Technology Randy Phelps, CTO

East Side Union High School District (ESUHSD) is requesting authorization from the Board of Trustees to approve a purchase order agreement for (Recordex) technology equipment (Qty: 116) with MicroK12 for the DW Projection Devices Project. (Project No.: IT-013-006). Per Quote #: Q12023-2 (See Attachment C)

At Board Meeting on June 22, 2017 (Item 20.01), Board of Trustees approved Information Technology Services staff to use the DigitalEdge contract, Contract No. ID# ESD112-DE-16A Technology Catalog Bid to purchase (Recordex) technology equipment.

FISCAL IMPACT:	\$595,486.79
FUNDING SOURCE:	Measure I (Technology)
RECOMMENDATION:	It is recommended that the Board of Trustees approve the purchase order agreement with MicroK12 for an amount not to exceed \$595,486.79 for (Qty: 116) Recordex technology equipment for the DW Projection Devices Project (Project No.: IT-013-006) and to authorize Administration to execute change orders in accordance with Board Policy 3312.1 if needed.

EAST SIDE UNION HIGH SCHOOL DISTRICT
Bond/Capital Projects Contract(s) for Services over \$50,000
Board Meeting November 16, 2017

4. Facilities Management Planning and Operations, Inc. (FMPO)

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Julio Lucas Marcus Battle Janice Unger	April 10, 2009 – October 31, 2012 (extended to May 21, 2013) No Change	\$3,450.00 (not to exceed final amount) Measure E	Piedmont Hills High School/Facilities Traci Williams, Principal Julio Lucas, Director of Construction, Maintenance & Facilities

East Side Union High School District (ESUHSD) Administration is requesting that the Board approve Amendment No. 06 and Change Order No. 06 to Purchase Order 905238 to provide additional services for review of field installation of ductwork that did not match with configuration on the plan for the Piedmont Hills High School New Auxiliary Gymnasium Project (E-045-002).

On April 09, 2009, the Board of Trustees approved an architectural work authorization agreement for the design of the New Auxiliary Gymnasium Project at Piedmont Hills High School with Facilities Management Planning and Operations, Inc. (FMPO)

On October 08, 2009, the Board of Trustees approved a change order to Purchase Order 905238 for the increase amount of \$23,590.15

On August 19, 2010, the Board of Trustees approved a change order to Purchase Order 905238 for the increase amount of \$9,625.00 (includes reimbursable)

On October 21, 2010, the Board of Trustees approved a change order to Purchase Order 905238 for the increase amount of \$19,305.00 (includes reimbursable)

On August 21, 2014, the Board of Trustees approved a change order to Purchase Order 905238 for the increase amount of \$20,860.00

On January 19, 2017, the Board of Trustees approved a change order to Purchase Order 905238 for the increase amount of \$7,063.56 (this project is now in closeout phase with the architect).

This Amendment No. 06, Change Order No. 06 to Purchase Order 905238 is for additional services that is being requested in order to review the field installation of ductwork that did not match with the configuration on the plan. Amount for this change order is \$3,450.00 (this additional change order is to completely close out the project). Per Add Serv dated February 27, 2017.

(See Attachment D).

Original Contract Amount	\$242,900.00
Previous Change Order Amounts	\$80,443.71
Contract Amount Prior to This Change Order	\$323,343.71
Change Order No. 06 (Amendment No. 06 increase for balance of reimbursable expenses for project)	\$3,450.00
Revised Contract Amount	\$326,793.71

EAST SIDE UNION HIGH SCHOOL DISTRICT
Bond/Capital Projects Contract(s) for Services over \$50,000
Board Meeting November 16, 2017

RECOMMENDATION

It is recommended that the Board of Trustees approve Amendment No. 06 and Change Order #6 to Purchase Order 905238 for the additional services requested due for the project with **Facilities Management Planning and Operations, Inc., (FMPO)** for the New Auxiliary Gymnasium Project at Piedmont Hills High School in the increased amount of **\$3,450.00** and authorize Administration to execute change orders in accordance with Board Policy 3312.1



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Agenda Item Details

Meeting Nov 16, 2017 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133

Category 18. BUSINESS SERVICES - CONSENT/ACTION CALENDAR

Subject 18.02 Ratify/Approve Contract(s) for Professional Services At or Below \$25,000

Access Public

Type Action

Recommended Action It is recommended that the Board of Trustees ratify the projects contract(s) for professional services at or below \$25,000 as presented and authorize the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by the greater of ten percent (10%) of the contract amount (based on the original contract amount exclusive of any approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board-approved contract per Board Policy 3312.1.

Public Content

EAST SIDE UNION HIGH SCHOOL DISTRICT

TO: Board of Trustees

FROM: Chris D. Funk, Superintendent

PREPARED BY: Marcus Battle, Associate Superintendent of Business Services, Janice Unger, Director of Purchasing and Capital Accounting, and Francine Brissey, General Purchasing

SUBJECT: Ratify/Approve Contract(s) for Professional Services At or Below \$25,000

The attached lists the General Purchasing Contracts for Professional Services at or below \$25,000 being recommended for Board ratification.

Fiscal Impact:
As presented in the attachment

Funding Source:
As presented in the attachment

Recommendation:
It is recommended that the Board of Trustees ratify the projects contract(s) for professional services at or below \$25,000 as presented and authorize the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by the greater of ten percent (10%) of the contract amount (based on the original contract amount exclusive of any approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board-approved contract per Board Policy 3312.1.

2017 1116 Contracts under \$25000.pdf (91 KB)

Executive Content

Motion & Voting

It is recommended that the Board of Trustees ratify the projects contract(s) for professional services at or below \$25,000 as presented and authorize the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by the greater of ten percent (10%) of the contract amount (based on the original contract amount exclusive of any approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board-approved contract per Board Policy 3312.1.

Motion by Vice President J Manuel Herrera, second by Member Lan Nguyen.

Final Resolution: Motion Carries

Yea: President Frank Biehl, Vice President J Manuel Herrera, Clerk Pattie Cortese, Member Lan Nguyen, Member Van Le

EAST SIDE UNION HIGH SCHOOL DISTRICT

Contract(s) for Professional Services at/or Below \$25,000

Board Meeting of November 16, 2017

A Conflict of Interest Statement has been collected for each service contract listed below.

Consultant	Contract Period	Contract Amount/ Funding Source	PO Number	Location of Services	Description of Services	Date Contract Assigned
Alfredo Castaneda	September 6, 2017 – November 2, 2017	\$4,000.00/ Title 1	801378	Calero High School	To provide a 9 week training course.	October 12, 2017
American Red Cross	March 1, 2017 – March 31, 2017	\$3,330.00 CA Career Pathways	801521	William C. Overfelt High School	To provide training services to William C. Overfelt Child Development Pathway Students First Aid, CPR and AED.	October 26, 2017
Ameripride Uniform Services	July 1, 2017 – June 30, 2018	\$7,500.00/ Restricted Maintenance	801308	Facilities	To provide weekly rental and cleaning services in accordance with the contract.	October 10, 2017
Animal Damage	July 1, 2017 – June 30, 2018	\$2,000.00/ Restricted Maintenance	801475	Facilities	To provide animal trapping services at ESUHSD sites as needed in accordance with the contract.	October 20, 2017
B.A.R. Services	September 28, 2017- October 24, 2017	\$3,277.50 Ice Machine Head \$750.00 Installation and Labor	801518	William C. Overfelt High School	For installation of ice machine head.	October 26, 2017
Document Tracking Services	November 1, 2017 – November 1, 2018	\$11,415.00 Accountability	801424	Educational Center	To provide tracking services for 17 sites and license fee.	October 17, 2017
Fireworks & Stage FX America	October 6, 2017	\$2,500.00/ Principal	801248	Oak Grove High School	To provide a fireworks display in celebration of homecoming.	October 6, 2017
Gail K. Tsuboi dba Tsuboi Design	August 4, 2017 – August 4, 2017	\$1,550.00/ Business Services	801249	Business Services	To provide recording services for the 2017/2018 business services retreat.	October 6, 2017
Institute for Applied NeuroScience	September 29, 2017	\$1,500.00/ Adult Ed	801191	Adult Education	To provide an interactive professional development in services, on the science of learning.	October 2, 2017
Janet Johnson – Tyler dba EvoLibri Consulting	September 1, 2017 – June 30, 2018	\$3,500.00/ Special Day Classes	801128	Instructional Services	To provide IEE assessments to special education students per IEP requirements.	September 26, 2017
Language Line Services, Inc.	September 1, 2017 – June 30, 2018	\$2500.00/ Safety and Student Services	801216	Student Services	To provide over the phone language translation services.	November 4, 2017

EAST SIDE UNION HIGH SCHOOL DISTRICT

Contract(s) for Professional Services at/or Below \$25,000

Board Meeting of November 16, 2017

A Conflict of Interest Statement has been collected for each service contract listed below.

Consultant	Contract Period	Contract Amount/ Funding Source	PO Number	Location of Services	Description of Services	Date Contract Assigned
Marilyn M. Snyder dba Snider and Associates	July 1, 2017 – June 30, 2018	\$2,700.00/ Business Services	801250	Business Services	To provide facilitation for the 2017/2018 business services retreat.	October 6, 2017
New Haven	July 1, 2017 – June 30, 2018	\$23,594.00 Special Ed	801246	Education Center	To provide residential non-public school services and other related services for Special Education students per IEP requirements.	October 6, 2017
RL Simmons Construction	May 1, 2017 – June 30, 2018	\$700.00/ Special Day Classes	801142	Instructional Services	To provide ceiling hoist repair in special education bathroom.	September 29, 2017
San Francisco Shakespeare Festival	February 1, 2018- February 28, 2018	\$1,155.00 General Fund	801380	Piedmont Hills High School	To provide two performances of Romeo & Juliet.	October 12, 2017
Simz Productions	October 1, 2017 – June 30, 2018	\$1000.00/ Business Services	801306	Business Services	To provide filming, script writing, production, voice overs, editing and development of videos to business services on an as needed basis.	October 10, 2017
Smith's Gopher Trapping Services	July 1, 2017 – June 30, 2018	\$12,000.00/ Restricted Maintenance	801247	Facilities	To provide gopher control services to all ESUHSD Sites.	October 6, 2017
Sylvia Diehl	August 28, 2017 – June 30, 2018	\$16,000.00/ Special Ed – Early Intervening Services	801208	Instructional Services	To provide professional development in services, for the area of autism spectrum disorders.	October 3, 2017
Total School Solutions	July 19, 2017-August 30, 2017	\$21,996.46 Business Services	801375	Piedmont Hills High School	To provide professional services to the district staff in payroll processing and in closing 2016/17 financial records.	October 17, 2017
United Site Services of California, Inc.	July 1, 2017 – June 30, 2018	\$2500.00/ Principal	801283	W. C. Overfelt High School	To provide portable restroom services.	October 9, 2017
Valley Relocation & Storage	September 1, 2017 – June 30, 2018	\$5,000.00 Special Ed	801245	Special Services	To provide repairs for Special Services datum mobile track student file system.	October 5, 2017
Yazmin Yedith Espinoza	July 1, 2017 – July 31, 2017	\$525.00 Title 1	801517	W.C. Overfelt High School	To provide Zumba classes for WCO parents.	October 26, 2017



Preparing every student to thrive in a global society.

Agenda Item Details

Meeting Nov 16, 2017 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133

Category 20. FACILITIES/BOND - CONSENT/ACTION CALENDAR

Subject 20.02 Ratify Bond/Capital Projects Contract(s) for Professional Services At or Below \$50,000

Access Public

Type Action

Recommended Action It is recommended that the Board of Trustees ratify the Bond/Capital Projects Contract(s) for Professional Services at or below \$50,000 as presented and authorize the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by the greater of ten percent (10%) of the contract amount (based on the original contract amount exclusive of any approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board-approved contract per Board Policy 3312.1.

Public Content

EAST SIDE UNION HIGH SCHOOL DISTRICT

TO: Board of Trustees

FROM: Chris D. Funk, Superintendent

PREPARED BY: Marcus Battle, Associate Superintendent of Business Services, Julio Lucas, Director of Construction, Maintenance and Facilities, Janice Unger, Director of Purchasing and Capital Accounting, and Tu Nguyen, Capital Projects Purchasing Manager

SUBJECT: Ratify Bond/Capital Projects Contract(s) for Professional Services At or Below \$50,000

The attached lists the Bond/Capital Projects Contracts for Professional Services at or below \$50,000 being recommended for Board ratification.

Fiscal Impact:
As indicated in the attachment

Funding Source:
As indicated in the attachment

Recommendation:
It is recommended that the Board of Trustees ratify the Bond/Capital Projects Contract(s) for Professional Services at or below \$50,000 as presented and authorize the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by the greater of ten percent (10%) of the contract amount (based on the original contract amount exclusive of any approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board-approved contract per Board Policy 3312.1.

[2017 1116 Capital Contracts under \\$50000.pdf \(71 KB\)](#)

Executive Content

Motion & Voting

It is recommended that the Board of Trustees ratify the Bond/Capital Projects Contract(s) for Professional Services at or below \$50,000 as presented and authorize the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by the greater of ten percent (10%) of the contract amount (based on the original contract amount exclusive of any approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board-approved contract per Board Policy 3312.1.

Motion by Vice President J Manuel Herrera, second by Member Lan Nguyen.

Final Resolution: Motion Carries

Yea: President Frank Biehl, Vice President J Manuel Herrera, Clerk Pattie Cortese, Member Lan Nguyen, Member Van Le

East Side Union High School District
Construction-Related Professional Services Contracts under \$50,000 for Ratification
Board Meeting of November 16, 2017

Project Number / Name	Project Description	Purchase Order Number / Contract Number	Contract Period	Consultant	Contract Amount	Date Purchase Order Assigned
Z-043-602 / IAC Admin New Bld & Misc Improvements (Move-in)	Consultant to provide the following scope of work: moving staff from Building 100 and storage container to new admin building at Independence Adult Center. Provide 150 boxes ad labels and pack 60 boxes	801302 / CP2238	October 10, 2017 through project completion	Managed Facilities Solutions	\$7,000.00	10/10/2017
Z-070-604 / ST Track & Field Improvements	Consultant to provide a ground topographic and underground utility survey for the area shown on Exhibit "A" for the project at Santa Teresa High School	801303 / CP2232	October 10, 2017 through project completion	Carroll Engineering, Inc.	\$11,900.00	10/10/2017
Z-052-993 / District Program Cost	Provide architectural services to assist in the closeout and certification of various East Side Union High School District legacy projects. Scope of work includes but not limited to school site inspections, research and review documents, meeting with DSA, and issuing required documentation for DSA approval and certification of the project at Mount Pleasant High School with DSA #01-101948 and Santa Teresa High School with DSA #01-101949	801304 / CP2233	October 10, 2017 through project completion	Artik Art & Architecture	\$15,000.00	10/10/2017
F25-060-002 / YB CCA New Buildings	C/O #2: Change order for Contract Addendum No. 210027933. Bld ID #76102 & #76112 Classroom 24x40 DSA	603237 / CP1325	July 14, 2017 through July 8, 2018	Mobile Modular Management Corp	Original Contract Amt: \$31,636.00 + \$13,608.00 = \$45,244.00	10/23/2017

East Side Union High School District
Construction-Related Professional Services Contracts under \$50,000 for Ratification
Board Meeting of November 16, 2017

Project Number / Name	Project Description	Purchase Order Number / Contract Number	Contract Period	Consultant	Contract Amount	Date Purchase Order Assigned
E-045-002 / PH New - Small Gym (New Auxiliary Gymnasium)	Scope of work includes added project management for Piedmont Hills High School leak repair project. Estimated duration of this project is 5 months. The services being provided will be consistent with those currently being provided for the District and as specifically delineated in the agreement for construction management services	801516 / CP2268	October 25, 2017 through project completion	Van Pelt Construction Services	\$14,900.00	10/25/2017
E-040-602 / WCO Music, Art and Administration New Building and Central Quad Modernization	Consultant to provide the following scope of work: install (2) signs: FDC services dry standpipe and replace (8) inline standpipe valves per 5 year system deficiencies report for the project at W.C.Overfelt High School. This is for the preconstruction requirement for hydrant testing and survey	801524 / CP2244	October 26, 2017 through project completion	Northern California Fire Protection Services, Inc.	\$5,541.80	10/26/2017
Z-065-603 / IH Blds G,H,K,L Modernization (G&H Mod)	Consultant to provide the following scope of work: provide programming of the switch, and interface cameras with the network devices. This is for the CCTV enhancements for the project at Independence High School. DSA #01-116124	801527 / CP2177	October 26, 2017 through project completion	G4S Sercure Integration, LLC	\$2,035.60	10/26/2017
E-040-602 / WCO Music, Art and Administration New Building and Central Quad Modernization	Consultant to provide the following scope of work: provide pre-renovation limited hazmat material survey, report, specifications and bid documentation and 1-week hazmat monitoring services for the project at W.C.Overfelt High School	801529 / CP2245	October 26, 2017 through project completion	Millennium Consulting Associates	\$13,675.00	10/26/2017
Z-065-603 / IH Blds G,H,K,L Modernization	Consultant to provide the following scope of work: provide moving service from ACE Charter school to IH Bld G & H. Total cost includes materials, labor, tax, and delivery. DSA #01-115924	801530 / CP2243	October 26, 2017 through project completion	Mont/Rose Moving Systems, Inc.	\$12,994.07	10/26/2017